

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :  
v. : CRIMINAL NO. 3:17-131  
PATRICK SUTHERLAND, : (JUDGE MANNION)  
Defendant :  
:

## ORDER

Based on the court's memorandum issued this same day, **IT IS  
HEREBY ORDERED THAT:**

(1) The defendant Patrick Sutherland's letter Motion, (Doc. 171), to the extent that it challenges the BOP's sentence computation, is **DISMISSED WITHOUT PREJUDICE** to file a petition for writ of habeas corpus pursuant to 28 U.S.C. §2241 in the U.S. District Court for the District of Connecticut.

(2) To the extent defendant Sutherland's Motion is construed as a motion for compassionate release, it is **DISMISSED WITHOUT PREJUDICE** for lack of jurisdiction since he has failed to comply with §3582(c)(1)(A)'s exhaustion requirement.

(3) To the extent defendant Sutherland's motion can be alternatively construed as a motion for immediate release to home confinement under the CARES Act, it is **DISMISSED** since the court lacks authority to grant such relief under the Act.

s/ *Malachy E. Mannion*

**MALACHY E. MANNION**

**United States District Judge**

**DATE: June 16, 2020**

17-131-01-Order